

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

LOUIS R. MANN,	)	CASE NO. 4:21-cv-01781
	)	
PETITIONER,	)	
	)	JUDGE SARA LIOI
v.	)	
	)	<b>MEMORANDUM OPINION AND</b>
WARDEN JENNIFER GILLECE-BLACK,	)	<b>ORDER</b>
	)	
	)	
RESPONDENT.	)	

Before the Court is the report and recommendation of Magistrate Judge Carmen E. Henderson, recommending that this Court grant respondent's motion to dismiss as time-barred petitioner Louis R. Mann's ("Mann") petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. (Doc. No. 14.)

Under the relevant statute:

Within fourteen days after being served with a copy, any party may serve and file written objections to such proposed findings and recommendations as provided by rules of court. A judge of the court shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made.

28 U.S.C. § 636(b)(1)(C).

The R&R was filed on January 18, 2023, and was sent to Mann that same day by regular mail to his address of record.<sup>1</sup> As of the date of this memorandum opinion and order, no objections have been filed, no extension has been requested, and no mail has been returned as undeliverable. The failure to file written objections to a magistrate judge's report and recommendation constitutes a

---

<sup>1</sup> The Court also conducted a public records search on the Ohio Department of Rehabilitation & Correction's website, which confirmed Mann is currently incarcerated at the Lorain Correctional Institution.

waiver of a de novo determination by the district court of an issue covered in the report. *Thomas v. Arn*, 728 F.2d 813, 814–15 (6th Cir. 1984), *aff'd*, 474 U.S. 140 (1985); *see United States v. Walters*, 638 F.2d 947 (6th Cir. 1981).

This Court has reviewed Magistrate Judge Henderson’s report and recommendation and accepts and adopts the same. Accordingly, respondent’s motion to dismiss as time-barred is GRANTED and Mann’s petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254 is DISMISSED. Further, the Court certifies that an appeal from this decision could not be taken in good faith and that there is no basis upon which to issue a certification of appealability. 28 U.S.C. §§ 1915(a)(3), 2253(c); Fed. R. App. P. 22(b).

**IT IS SO ORDERED.**

Dated: February 15, 2023

  
\_\_\_\_\_  
**HONORABLE SARA LIOI**  
**UNITED STATES DISTRICT JUDGE**